



February 21, 2017

VIA ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Oral *Ex Parte* - Amendment of Part 2 of the Commission's Rules for Federal Earth Stations Communicating with Non-Federal Fixed Satellite Service Space Stations (ET Docket 13-115 and RM-11341)

Dear Ms. Dortch:

On February 16th, 2017, representatives of the Satellite Industry Association ("SIA")¹ met with Ms. Daudeline Meme, Legal Advisor for Commissioner Clyburn and discussed the above referenced proceeding. During the meeting, SIA re-enforced its position with regards to Federal Earth Stations' use of non-Federal FSS Space Stations.

¹ **About the Satellite Industry Association:** SIA is a U.S.-based trade association providing representation of the leading satellite operators, service providers, manufacturers, launch services providers, and ground equipment suppliers. For more than two decades, SIA has advocated on behalf of the U.S. satellite industry on policy, regulatory, and legislative issues affecting the satellite business. For more information, visit www.sia.org. **SIA Executive Members include:** The Boeing Company; AT&T Services, Inc.; EchoStar Corporation; Intelsat S.A.; Iridium Communications Inc.; Kratos Defense & Security Solutions; Ligado Networks; Lockheed Martin Corporation; Northrop Grumman Corporation; OneWeb; SES Americom, Inc.; Space Exploration Technologies Corp.; SSL; and ViaSat, Inc. **SIA Associate Members include:** ABS US Corp.; Artel, LLC; Blue Origin; DigitalGlobe Inc.; DRS Technologies, Inc.; Eutelsat America Corp.; Global Eagle Entertainment; Glowlink Communications Technology, Inc.; Hughes; Inmarsat, Inc.; Kymeta Corporation; L-3 Electron Technologies, Inc.; O3b Limited; Panasonic Avionics Corporation; Planet; Semper Fortis Solutions; Spire Global Inc.; TeleCommunication Systems, Inc.; Telesat Canada; TrustComm, Inc.; Ultisat, Inc.; and XTAR, LLC.

SIA expressed its support for providing equal status for Federal Government earth stations accessing commercial FSS and MSS satellites. However, it was emphasized to Ms. Meme the importance of ensuring the following points are adopted by the proceeding:

- That government earth stations using non-federal spectrum are subject to the same rules as commercial licensees;
 - This includes complete coordination with terrestrial entities before taking action on an application [that is submitted through the National Telecommunications and Information Administration (“NTIA”)]; and
 - That applications are placed on public notice for comment, just like commercial entities, and are subject to the same technical requirements and *ex parte* rules.
- That language is added into the Allocation Table itself, stating that the primary Federal allocation for FSS is limited to earth stations only;
- That language is inserted into proposed Footnote US107, stating that FCC has exclusive regulatory jurisdiction over these co-primary allocations (except for those covered by US334), with the NTIA responsible for assignments for Federal earth stations that are authorized to operate in these bands pursuant to Part 25 of the FCC’s Rules; and
- Provisions in Section 1.1204(a)(5) of FCC’s *ex parte* rules relating to circumstances where jurisdiction is “shared” do not apply to the processing of applications for earth stations in the satellite bands.

An excerpt of SIA’s previous comments regarding this matter are attached. Attending on behalf of SIA were: Tom Stroup and Charity Weeden (SIA); Patricia Cooper (SIA Chair, SpaceX); Mariah Shuman (SIA RWG Co-Chair, O3b); Scott Kotler (Lockheed Martin); Kim Kolb (Boeing), and Jodi Goldberg (EchoStar).

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

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